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Filing date: **08/12/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91212950
Party	Defendant McFit GmbH
Correspondence Address	STACY C FRIENDS RUBERTO ISRAEL & WEINER PC 255 STATE STREET , 7TH FLOOR BOSTON, MA 02109 UNITED STATES trademark@riw.com
Submission	Withdrawal Of Application
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Date	08/12/2014
Attachments	Withdrawal McFit Banner mark (00359657).PDF(63643 bytes)

Attorney Ref. No. 11315-4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application No.: 79111490

Filing Date: February 9, 2012

Published in the *Official Gazette*: May 21, 2013

McDonalds's Corporation
Opposer,

v.

McFit GmbH
Applicant

Consolidated Opposition No.: 91212950

**APPLICANT'S WITHDRAWAL OF APPLICATION WITHOUT PREJUDICE, WITH
CONSENT**

Pursuant to Trademark Rules 2.68 and 2.135, Applicant hereby respectfully withdraws its Application No. 79111490, without prejudice. Opposer has consented to such Withdrawal in a written Settlement Agreement between the parties signed August 4, 2014. The Settlement Agreement contains a Confidentiality restriction, and thus will be filed separately under a protective order, if requested by the Board.

Respectfully submitted,

MCFIT GMBH

By its attorneys,

/stacey c. friends/

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I hereby certify that a true copy of
the foregoing document was served by
first class mail, postage prepaid, on
counsel for Opposer, this 12th day of
August, 2014.

/stacey c. friends/
Stacey C. Friends